

# NOTICES OF RULEMAKING DOCKET OPENING

This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an "announcement" that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires publication of the Notice of Rulemaking Docket Opening.

Under the APA, effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of theses notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

## NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF WEIGHTS AND MEASURES

[R15-08]

1. Title and its heading: 20, Commerce, Financial Institutions, and Insurance

**Chapter and its heading:** 2, Department of Weights and Measures

**Article and its heading:** 1, Administration and Procedures

9, Gasoline Vapor Control for Sites with Both Stage I and Stage II Vapor

Recovery Systems

10, Stage I Vapor Recovery Systems

Section numbers: R20-2-101; R20-2-901 through R20-2-904, R20-2-906 through R20-2-910,

R20-2-913; R20-2-1001 through R20-2-1013, and Table 1

(Additional Sections may be amended, repealed, or made if necessary)

#### 2. The subject matter of the proposed rule:

In 2014, the legislature enacted HB2128, which requires that gasoline dispensing sites decommission stage II vapor recovery equipment beginning October 1, 2016. The legislation required the Department, in consultation with the Arizona Department of Environmental Quality and the State Fire Marshal, to establish standards by rule for decommissioning the equipment. This rulemaking establishes the required standards. Removing the stage II vapor recovery equipment is widely supported by industry because of significant long-term savings from decreased equipment maintenance and testing costs.

A State Implementation Plan revision requiring removal of stage II equipment has been submitted to the EPA for approval. When approved, the requirements in the SIP become federally enforceable.

An exemption from Executive Order 2015-01 was provided for this rulemaking by Ted Vogt, Chief of Operations in the Governor's office, in an e-mail dated January 27, 2015.

## 3. A citation to all published notices relating to the proceeding:

None

#### 4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Michelle Wilson

Address: Department of Weights and Measures

4425 W. Olive Ave., Suite 134

Glendale, AZ 85302

Telephone: (602) 771-4933

Fax: (623) 939-8586

E-mail: <a href="mailto:mwilson@azdwm.gov">mwilson@azdwm.gov</a>

Web site: <a href="mailto:www.azdwm.gov">www.azdwm.gov</a>

# 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Department will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

### 6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined